(9)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR(CHHATTISGARH)

WRIT PETITION NO. 2473 OF 2003

PETITIONER : Brijlal Choudhary,
son of Late Shri Kalu Choudhary
aged about 54
Assistant Grade-I,Office of the Commissioner Adimjai,Anusuchit Jati Pichda Varg Evam Alp Sankhyak Kalyan Vibhag,Raipur,(C.G.)

P.R. No. 993/03
Presented by Shri Malay Kumar Bhadauri
dated 06/08/03

V E R S U S

RESPONDENTS : 1. State of Chhattisgarh, through Secretary,
Department of Adim Jati,Anusuchit Jati Pichda Varg Evam Alp Sankhyak Kalyan Vibhag, Mantralay,D.K.S.Bhawan, Raipur,District-Raipur,(C.G.)

: 2. The Commissioner,Adim Jati Anusuchit Jati Pichda Varg Evam Alp Sankhyak Kalyan Vibhag, Raipur,(C.G.)

NOTARY C.R. PATEL (ADVOCATE) Civil Distt. Courts RAIPUR (M.P.) INDIA Reg. No. M.P. Govt. of Madhya Pradesh

: 3. State of Chhattisgarh, through Secretary,P.W.D.,Mantralay, D.K.S.Bhawan,Raipur,(C.G.)

: 4. The Engineering-in-Chief Department of P.W.D., Raipur,(C.G.)

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA.

ATTESTED COPY.

XI-HC-22

(21)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 2473/2003 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

01-09-2003

Shri Malay Kumar Bhaduri, counsel for the petitioner.

Shri P. Das, Panel Lawyer, takes notice on behalf of the Respondents/ State.

Heard both the counsel.

By this writ petition under Article 226/227 of the Constitution of India the petitioner has challenged the orders Annexures P/2 and P/3 dated 08-10-2002 and 07-11-2002 respectively, whereby the respondents had directed the petitioner to join in the Department of Adim Jati Anusuchit Jati Pichda Varg Avam Alp Sankhyak Vibhag, Raipur.

The main grievance of the petitioner is that originally he is an employee of Public Works Department and he was working in the Office of Engineering-in-Chief, Public Works Department, Bhopal and at the time of bifurcation of the State the petitioner's services were allocated to the State of Chhattisgarh. However, instead of posting the petitioner in the Public Works Department he has been sent to the Department of Adim Jati Anusuchit Jati Pichda Varg Avam Alp Sankhyak Vibhag, Raipur.

Learned counsel for the petitioner submitted that against this action of the respondents the petitioner made representations to respondent No.1 vide Annexures-P/5 and P/6 dated 30-11-2002 and

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(25)

आदेश पत्रक

मामला क्रमांक W.P. No. 2473/2003 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

31-03-2003 respectively and no decision has been taken by the respondents so far. Therefore, learned counsel for the petitioner submitted that a direction may kindly be given to the respondents to decide the representations of the petitioner at the earliest.

Having heard learned counsel for the parties and having considered the facts and circumstances of the case, respondent No.1 is directed to decide the representations of the petitioner within a period of 30 days in an objective manner and communicate the decision taken on his representation to the petitioner. However, in case representation of the petitioner is not available with the respondents, the petitioner is allowed to make fresh representation within a period of 10 days from today and the respondent No.1 shall decide the said representation within 30 days from the date of receipt of the representation.

With these observations, the writ petition stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

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